

# **BUSINESS REPORT**

## **MONTANA SENATE FREECONFERENCE COMMITTEE ON SENATE BILL 423 62nd LEGISLATURE ~ REGULAR SESSION**

**Date:** April 28, 2011

**Place:** Capitol

**Time:** 4:30 P.M.

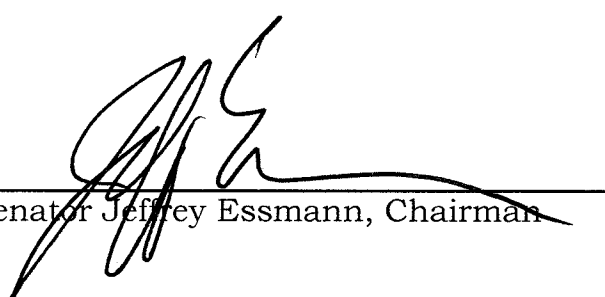
**Room:** 335

### **BILLS and RESOLUTIONS HEARD:**

NA

### **EXECUTIVE ACTION TAKEN:**

Further amend SB 423



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Senator Jeffrey Essmann, Chairman

# MONTANA STATE SENATE

## ROLL CALL

### FREE CONFERENCE COMMITTEE

Date: 4.28.11 ~~HB~~/SB No. 423

NAME	PRESENT	ABSENT/ EXCUSED
Sen. <u>Essmann, chair</u>	✓	
Sen. <u>Vincent</u>	✓	
Sen. <u>Garsen</u>	✓	
Rep. <u>Smith, Vice Chair</u>	✓	
Rep. <u>Berry</u>	✓	
Rep. <u>Sands</u>	✓	

Staff: Lee O'Connell

Secretary: Debra Behrens



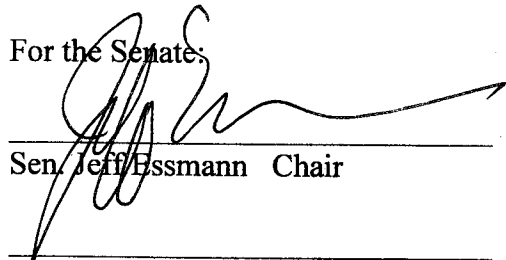
**FREE CONFERENCE COMMITTEE**  
**on Senate Bill 423**  
**Report No. 003, April 28, 2011**


**Page 1 of 4**


Mr. President and Mr. Speaker:

We, your Free Conference Committee met and considered **Senate Bill 423** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

For the Senate:

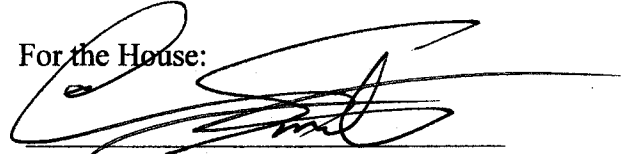
  
Sen. Jeff Hssmann Chair

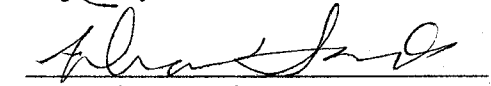
  
Sen. Cliff Larsen

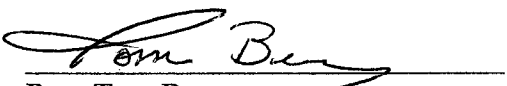
  
Sen. Chas Vincent

  
Amendment Coordinator

For the House:

  
Rep. Cary Smith Vice Chair

  
Rep. Diane Sands

  
Rep. Tom Berry

And, recommend that **Senate Bill 423** (reference copy -- salmon) be amended as follows:

1. Page 2, line 25.

**Following:** "INCLUDING"

**Insert:** "relevant and necessary"

2. Page 4, line 4.

**Strike:** "REGISTERED CARDHOLDER,"

**Following:** "PROVIDER"

**Strike:** ","

3. Page 4, line 25.

**ADOPT**  
**REJECT**

**Amendment # SB 423-003**

SB0423003FC.sdr

**Following:** "RELEVANT"  
**Insert:** "and necessary"

4. Page 4, line 27.  
**Following:** "REVIEWING"  
**Insert:** "any"  
**Following:** "RELEVANT"  
**Insert:** "and necessary"

5. Page 6, line 8.  
**Following:** "department shall"  
**Strike:** "verify"  
**Insert:** "review"

6. Page 7, line 3.  
**Strike:** "registered cardholders"  
**Following:** "and"  
**Strike:** "┐"  
**Following:** "providers"  
**Strike:** "┐"

7. Page 7, line 5.  
**Strike:** "cardholders"  
**Following:** "or"  
**Strike:** "┐"  
**Following:** "providers"  
**Strike:** "┐"

8. Page 7, line 8.  
**Strike:** "15"  
**Insert:** "25"

9. Page 7, line 28.  
**Strike:** "and (3)"  
**Insert:** "through (4)"

10. Page 9.  
**Following:** line 10  
**Insert:** "(3) An application for a registry identification card  
for a minor must be accompanied by the written certification  
and accompanying statements required pursuant to [section 7]  
from a second physician in addition to the minor's treating  
physician or referral physician."  
**Renumber:** subsequent subsections

11. Page 10, line 28.  
**Following:** "(A)"  
**Insert:** "(i)"

12. Page 11.

**Following:** line 1

**Insert:** "(ii) A person who is registered as both a provider and a marijuana-infused products provider may assist no more than three registered cardholders."

13. Page 11, line 15 through line 16.

**Strike:** "; or" on line 15 through "PRODUCTS PROVIDER" on line 16

14. Page 12, line 5.

**Following:** "SMOKING"

**Insert:** "unless the marijuana-infused products provider is also a registered provider and is providing the marijuana to a registered cardholder who has selected the person as the person's registered provider"

15. Page 13.

**Following:** line 20

**Insert:** "(3) A physician who is the second physician recommending marijuana for use by a minor shall submit:

(a) a statement initialed by the physician that the physician conducted a comprehensive review of the minor's medical records as maintained by the treating physician or referral physician;

(b) a statement that in the physician's professional opinion, the potential benefits of the use of marijuana would likely outweigh the health risks for the minor; and

(c) an attestation that the information provided in the written certification and accompanying statements is true and correct."

**Renumber:** subsequent subsections

16. Page 13, line 30.

**Following:** "(1)"

**Insert:** "(a)"

17. Page 14, line 1.

**Following:** "hospices"

**Insert:** "and residential care facilities"

18. Page 14, line 2.

**Strike:** "in the order listed"

19. Page 14, line 4.

**Strike:** "(a)"

**Insert:** "(i)"

20. Page 14, line 5.

**Following:** ";

**Insert:** "or"

21. Page 14, line 6.

**Strike:** "(b)"

**Insert:** "(ii)"

**Following:** "provider"

**Insert:** ", "

**Strike:** "OR"

**Following:** "PROVIDER"

**Insert:** ", court-appointed guardian, or person with a power of attorney"

22. Page 14, line 7.

**Strike:** "; or"

**Insert:** "."

23. Page 14, line 8.

**Strike:** "(c)"

**Insert:** "(b) If a patient is unable to remove the marijuana or the health care facility is unable to contact an individual as provided in subsection (1)(a), the facility shall"

24. Page 14, line 9.

**Following:** "provider"

**Insert:** ", "

**Strike:** "OR"

**Following:** "PROVIDER"

**Insert:** ", court-appointed guardian, or person with a power of attorney, if any,"

25. Page 19, line 4.

**Strike:** "FREQUENT,"

26. Page 19, line 7.

**Strike:** "AT ANY TIME"

**Insert:** "during normal business hours"

27. Page 19, line 13.

**Following:** "INVESTIGATION"

**Insert:** "during normal business hours"

28. Page 19, line 24.

**Strike:** "or"

29. Page 19, line 27.

**Following:** "PRODUCTS"

**Insert:** "; or

(c) fails to cooperate with the department concerning an investigation or inspection if the person is registered and cultivating or manufacturing marijuana"

- END -

# MONTANA STATE SENATE

## VISITORS REGISTER

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### CONFERENCE/FREE CONFERENCE COMMITTEE on ~~HB~~/SB No. 423

*Please print ~ Please print ~ Please print*

NAME	Representing	Support	Oppose	Info

*Please leave prepared testimony with Secretary.*